IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL
AT NAINITAL
ORIGINAL JURISDICTION
Dated: Nainital: The July 27, 2006
Criminal Bail application no. 571 of 2006
Order on the bail application of accused

CRIMINAL SIDE

Puran Ram S/o Sri Lalu Ram
R/o Village Hadoli, P.O. Sunoli
Thana Someshwar
District Almora

…Applicant

Versus

State of Uttaranchal …Opposite Party

Arising out of Case of Crime No. 94 of 2005
Under Sections 498 (A), 304(B) of I.P.C. &
¾ Dowry Prohibition Act
Police Station Thana Someshwar
District Almora

By the Court

Hon'ble B.C. Kandpal, J.

The applicants has applied for bail in the case crime No. 94 of 2006 under Sections 498 (A), 304(C) of I.P.C. and ¾ Dowry Prohibition Act, Police Station Thana Someshwar, District Almora.

Heard Sri K.C. Tiwari, learned counsel for the applicant, learned A.G.A. and perused the record.

The record reveals that the applicant is a husband of the deceased Lila Devi who was married with the applicant three years ago from her death.

The First Information Report as well as statement of the witnesses recorded under Section 161 Cr.P.C. clearly reveals at this stage that the deceased was being subjected to cruelty on account of demand of dowry after her marriage till the date of her death.

The report and the statement of the witnesses also show that the father of the deceased was informed that her daughter had committed suicide by taking some poison but when they went to the house of the applicant, they saw that the deceased was hanged. It has been submitted by the learned counsel for the applicant that at the time of the death of Lila Devi, the applicant was not present in his house as he was doing his job at Delhi.

The submission advanced by the learned counsel for the applicant does not find any support from the statement of the witnesses, who have stated in their statement that when they reached at the house of the applicant they saw that Lila Devi was lying inside the room and it was told by the applicant and his father to them that she was hanged.

In the aforesaid circumstances it is evident at this stage that Lila Devi was subjected to cruelty on demand of dowry and she died in the house of the applicant under the suspicious circumstances within a period of seven years of her marriage.

I do not find any ground to enlarge the applicant on bail at this stage.

Accordingly, the bail application is rejected.

(B.C. Kandpal, J.)

27.07.2006
Aswal